

### REMARKS/ARGUMENTS

The Office Action of March 31, 2003, has been carefully considered.

It is noted that the Examiner requests a certified copy of the priority document.

The claims are objected to for not having a proper introduction.

The specification is objected to for not having a proper Abstract of the Disclosure.

Claims 1 and 2 are rejected under 35 U.S.C. §112, second paragraph.

Claims 1 and 2 are rejected under 35 U.S.C. §102(b) over Spanish reference 2101612.

In connection with the priority document, Applicant encloses herewith a copy of the front sheet of the Notification of Missing Requirements in which it is indicated that the copy of the International Application was received by the U.S. Patent and Trademark Office.

Concerning the objection to the claims for lacking a proper introduction, Applicant has amended page 9 of the specification to include -- The invention claimed is: --. With this change it is respectfully submitted that the objection to the claims is overcome and should be withdrawn.

Concerning the Abstract of the Disclosure, Applicant has canceled the original Abstract and provided a new Abstract herewith which is in proper form. In view of these considerations, it is respectfully submitted that the objection to the Abstract of the Disclosure is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, Applicant has canceled claims 1 and 2 and added new claims 3 and 4.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In drafting claims 3 and 4, Applicant has addressed the points raised by the Examiner in the rejection of claims 1 and 2.

In view of these considerations, it is respectfully submitted that the rejection of claims 1 and 2 under 35 U.S.C. §112, second paragraph, is overcome and should be withdrawn.

It should be mentioned that the claims now on file specifically define a ceramic cutting device having a base, longitudinal guides mounted to the base and a support movably mounted to the longitudinal guides. A cutting-wheel handle holder is pivotably mounted to the support. A cutting-wheel handle is mounted in the handle holder and a cutting-wheel is mounted on the handle. An actuating lever is mounted in a threaded hole in the handle holder so as to

immobilize the handle so that the handle applies pressure on the ceramic piece to be cut via the cutting-wheel. The cutting-wheel handle has an outer periphery with at least three longitudinally extending rebates which have a geometry which reduces a frequency of vibration during scoring of the ceramic piece by the cutting-wheel. The handle further has at least one longitudinally extending planar surface for engaging the actuating lever.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the reference.

Turning now to the reference, it can be seen that ES '612 discloses a machine for cutting planar pieces of ceramic. The Examiner refers to Figure 5 of the reference as showing rebates. Although it appears that Figure 5 does show some sort of groove, Applicants could find no description of Figure 5 in the specification of ES '612 which discusses the purpose or construction of these rebates 32. Thus, Applicant respectfully submits that the reference does not disclose at least three longitudinally extending rebates that have a geometry so as to reduce the frequency of vibration during scoring of the ceramic piece by the cutting wheel. There is absolutely no disclosure in ES '612 concerning the geometry of the rebates as recited in the claims presently on file.

In view of these considerations, it is respectfully submitted that the rejection of claims 1 and 2 under 35 U.S.C. §102(b) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 2, 2003:

Robert C. Faber

Name of applicant, assignee or  
Registered Representative



Signature

September 2, 2003

Date of Signature

Respectfully submitted,



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